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SENATE BILL 589

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Rod Adair

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING A SECTION OF THE MOTOR
VEHICLE CODE TO REQUIRE INCLUSION OF MAILING ADDRESSES ON
DRIVER'S LICENSE APPLICATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-5-9 NMSA 1978 (being Laws 1978,
Chapter 35, Section 231, as amended) is amended to read:

"66-5-9. APPLICATION FOR LICENSE, TEMPORARY LICENSE,
PROVISIONAL LICENSE OR INSTRUCTION PERMIT.--

A. An application for an instruction permit,
provisional license or driver's license shall be made upon a
form furnished by the department. An application shall be
accompanied by the proper fee. For permits, provisional
licenses or driver's licenses other than those issued pursuant
to the New Mexico Commercial Driver's License Act, submission

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1 of a complete application with payment of the fee entitles the
2 applicant to not more than three attempts to pass the
3 examination within a period of six months from the date of
4 application.

5 B. An application shall contain the full name,
6 social security number or individual tax identification number,
7 date of birth, sex, ~~and~~ New Mexico residence address of the
8 applicant and mailing address of the applicant, if different
9 from the New Mexico residence address. The application shall
10 briefly describe the applicant and indicate whether the
11 applicant has previously been licensed as a driver and, if so,
12 when and by what state or country and whether any such license
13 has ever been suspended or revoked or whether an application
14 has ever been refused and, if so, the date of and reason for
15 the suspension, revocation or refusal. For foreign nationals
16 applying for driver's licenses, the secretary shall accept the
17 individual taxpayer identification number as a substitute for a
18 social security number regardless of immigration status. The
19 secretary is authorized to establish by regulation other
20 documents that may be accepted as a substitute for a social
21 security number or an individual tax identification number.

22 C. An applicant shall indicate whether ~~he~~ the
23 applicant has been convicted of driving while under the
24 influence of intoxicating liquor or drugs in this state or in
25 any other jurisdiction. Failure to disclose any such

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1 conviction prevents the issuance of a driver's license,
2 provisional license, temporary license or instruction permit
3 for a period of one year if the failure to disclose is
4 discovered by the department prior to issuance. If the
5 nondisclosure is discovered by the department subsequent to
6 issuance, the department shall revoke the driver's license,
7 provisional license, temporary license or instruction permit
8 for a period of one year. Intentional and willful failure to
9 disclose, as required in this subsection, is a misdemeanor.

10 D. An applicant [~~less than~~] who is under eighteen
11 years of age and who is making an application to be granted
12 [~~his~~] a first New Mexico driver's license shall submit evidence
13 that [~~he~~] the applicant has:

14 (1) successfully completed a driver education
15 course that included a DWI prevention and education program
16 approved by the bureau or offered by a public school. The
17 bureau may accept verification of driver education course
18 completion from another state if the driver education course
19 substantially meets the requirements of the bureau for a course
20 offered in New Mexico;

21 (2) had a provisional license for the twelve-
22 month period immediately preceding the date of the application
23 for the driver's license;

24 (3) complied with restrictions on that
25 license;

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1 (4) not been convicted of a traffic violation
2 committed during the ninety days prior to applying for a
3 driver's license;

4 (5) not been cited for a traffic violation
5 that is pending at the time of [~~his~~] the application; and

6 (6) not been adjudicated for an offense
7 involving the use of alcohol or drugs during the twelve-month
8 period immediately preceding the date of the application for
9 the driver's license and that there are no pending
10 adjudications alleging an offense involving the use of alcohol
11 or drugs at the time of [~~his~~] the application.

12 E. An applicant eighteen years of age [~~and~~] or
13 over, but [~~less than~~] under twenty-five years of age, who is
14 making an application to be granted [~~his~~] a first New Mexico
15 driver's license shall submit evidence with [~~his~~] the
16 application that [~~he~~] the applicant has successfully completed
17 a bureau-approved DWI prevention and education program.

18 F. An applicant twenty-five years of age [~~and~~] or
19 over who has been convicted of driving under the influence of
20 intoxicating liquor or drugs, and who is making an application
21 to be granted [~~his~~] a first New Mexico driver's license, shall
22 submit evidence with [~~his~~] the application that [~~he~~] the
23 applicant has successfully completed a bureau-approved DWI
24 prevention and education program.

25 G. Whenever an application is received from a

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1 person previously licensed in another jurisdiction, the
2 department may request a copy of the driver's record from the
3 other jurisdiction. When received, the driver's record may
4 become a part of the driver's record in this state with the
5 same effect as though entered on the driver's record in this
6 state in the original instance.

7 H. Whenever the department receives a request for a
8 driver's record from another licensing jurisdiction, the record
9 shall be forwarded without charge.

10 I. This section does not apply to driver's licenses
11 issued pursuant to the New Mexico Commercial Driver's License
12 Act."